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6 **IN THE SUPREME COURT**  
7 **STATE OF ARIZONA**

8 PETITION TO ADD RULE 38(j),  
9 REGARDING ADMISSION TO  
10 THE STATE BAR OF ARIZONA

Supreme Court No. R-12-0020

**Comment on Petition to Add Rule  
38(j), Regarding Admission to the  
State Bar of Arizona**

12 This Comment is respectfully submitted in support of the Petition to add Rule  
13 38(j) to the Rules of the Supreme Court because my husband's military orders to  
14 the State of Arizona precipitated the end of my legal practice, and I hope to impress  
15 upon the Court the very real implications of its decision whether to add Rule 38(j).

16 I have been licensed as an attorney in the State of New York and a military  
17 spouse for 15 years, but I have not practiced law since leaving New York nearly  
18 nine years ago to support my husband's Army career. Had Rule 38(j) existed in  
19 2004 when he was assigned to teach in the Reserve Officer Training Corps at  
20 Embry-Riddle Aeronautical University in Prescott, Arizona, I would very likely be  
21 a practicing attorney today, perhaps even a partner like so many of my law school  
22 classmates. Instead, I am faced with the prospect of \$20/hour document review  
23 work. It is a long way from here to the halls of the white shoe firm where my  
24 career began.

25 Because the Arizona Supreme Court Rules did not allow admission on  
26 motion in 2004, I would have had to take the bar exam if I wanted to practice law

1 during my husband's assignment in Prescott. Several factors converged to dissuade  
2 me from taking the exam. Our move to Arizona coincided with the termination of a  
3 year-long mobilization for my husband which meant we would be living together  
4 for the first time in a year, we were expecting our second child (who was born in  
5 Prescott), and we would be in Arizona for only three years. For all of these reasons  
6 together, I opted not to incur the expense and time commitment required to sit for  
7 the exam. The three-year hiatus cascaded into the inability to waive in on motion in  
8 subsequent jurisdictions because I could no longer meet the customary reciprocity  
9 requirement necessitating the active practice of law for five of the prior seven years.

10       Stories like mine are commonplace among military spouse attorneys.  
11 Although admission on motion is now an option for experienced attorneys to  
12 practice in Arizona, it is an untenable solution for us. Frequent moves and lengthy  
13 bar application/admission times cause gaps in employment; we get stationed  
14 overseas where we cannot practice; we get stationed to remote areas where legal  
15 work is difficult to find; we need to work less than full-time so that we can be there  
16 for our children while they adjust to their parents leaving for war; we know no one  
17 in our new duty stations and lack the professional contacts so crucial to finding  
18 employment in this economy; we are newly graduated from law school and do not  
19 know where to take the bar exam because our spouses' orders will move us to  
20 different states before the exam results will even be posted. For any number of  
21 countless reasons that may seem incomprehensible to the average civilian, even  
22 highly experienced military spouse attorneys have employment gaps. And for the  
23 new law school graduate married to the military, admission on motion is not an  
24 option at all. Accordingly, it is not a solution for military spouse attorneys.

25       Rule 38(j) is a solution. Allowing military spouse attorneys to practice law  
26

1 when we are present in the State due to our spouses' military orders will give us a  
2 fighting chance to maintain fulfilling legal careers *and* serve the nation, which we  
3 do indirectly by making it possible for our spouses to maintain their military  
4 careers. I do not regret my choice to sacrifice a legal career in favor of my  
5 husband's Army career, but bar admission authorities such as this Court have the  
6 power to relieve future generations of military spouses from having to make this  
7 choice. We are a group of extremely dedicated, honorable professionals with much  
8 to contribute. Please allow us to do so.

9 RESPECTFULLY SUBMITTED this 14th day of May, 2012.

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Christine Bacon Abramowitz